

THE

# Dan Smoot Report



DAN SMOOT

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## THE ASSASSINATION

On November 21, 1963, President and Mrs. Kennedy and Vice President and Mrs. Johnson, accompanied by Governor and Mrs. Connally and other Texas political figures, aides, and members of the press, began a tour of Texas.

Governor Connally had opposed the Texas tour, thinking it politically unwise.<sup>(1)</sup> The Democrat Party in Texas was in great turmoil, torn by internal dissension. A recent special election had revealed astonishing Republican Party strength in Dallas. Factions and personalities of the Democrat Party, jockeying for position and prestige, were blaming each other because Texans generally seemed to be in a mood to repudiate new frontierism at the polls in the next elections.

Neither the growing strength of conservatism nor the factional strife among liberals in the Democrat Party created any special *danger* for the President in Texas. There was no extraordinary anxiety about his *safety*, but Governor Connally did feel that a Kennedy visit at this time would create more and deeper cleavages in the ranks of the Democrat Party.<sup>(2)</sup>

President Kennedy, however, decided to come to Texas as a "peacemaker" for his own political party.<sup>(3)</sup>

The tour began in San Antonio. The crowds were large, friendly and orderly. It was the same in Houston and in Fort Worth. The presidential entourage arrived at Love Field, Dallas, at 11:37 a.m., Friday, November 22, greeted by a large, friendly gathering of Dallasites. The President and the Governor, and their wives, got into an open limousine for a parade through Dallas. The President and Mrs. Kennedy sat in the rear seat, the President on the right side. On jump seats in front of them were Governor and Mrs. Connally, the Governor directly in front of the President.

The motorcade formed with the presidential car immediately behind the lead car, the Vice President and other dignitaries and members of the press following. It made a 12-mile drive into and through downtown Dallas, along a route which had been widely publicized for days —

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by stories and maps published in both major newspapers. The route was lined by cheering, friendly people.

After passing through downtown Dallas, the motorcade made a left turn from Houston Street on to Elm Street. The Texas School Book Depository Building is at that corner, to the right of the passing motorcade. An assassin waited at an open window on the sixth floor of that seven-story building. He was armed with a 6.5 mm., old model, Italian-made, bolt-action rifle, a 4-power scope-sight mounted on the receiver. Presumably, at that second, he was looking directly down on the President, but did not fire. The presidential car moved about 100 yards down Elm Street away from the building. Mrs. Connally turned in her seat and said:

"Mr. President, you can't say Dallas doesn't love you!"<sup>100</sup>

A split-second later — 12:30 p.m. — the assassin fired three shots in quick succession. The first shot apparently hit President Kennedy in the neck. He clutched himself and partially rose, as the second shot struck him in the head, inflicting the mortal wound.

As Governor Connally turned to see what had happened, the third shot from the assassin's gun struck him in the back, traversed the chest area without entering the body cavity, splintered a rib, emerged, struck the Governor's right wrist, ricocheted, and lodged in the Governor's left thigh. Had the Governor not turned, the bullet would probably have pierced his heart.

The motorcade momentarily slowed down, almost to a halt, before a Secret Service agent in the President's car gave orders over the car radio to proceed to the nearest hospital. The lead car lunged forward at high speed, swung onto Stemmons Freeway a few yards ahead, and rushed to City-County Hospital, known as Parkland Memorial, the President's car following close, the remainder of the motorcade trailing. On the way, they passed the Trade Mart, where a crowd was

waiting to hear the President make a luncheon speech.

The President's car arrived at the hospital at 12:35, five minutes after the shooting. The Governor, still conscious, helped move himself to a stretcher. He was taken to one emergency room, the President to another. Two priests, who had been watching the parade on television, rushed to Parkland and were admitted shortly after the President's arrival. They administered the last rites of the Roman Catholic Church. At 1:30 p.m., it was officially announced that the President was dead.

Vice President Johnson left almost immediately for the airport. At 2:05 p.m., Mrs. Kennedy followed in a hearse bearing the body of the President. The body, in a bronze casket, was put on the presidential plane at Love Field. On the plane, before take-off, Federal Judge Sarah T. Hughes administered the presidential oath of office to Lyndon B. Johnson.

At 2:47 p.m., Air Force 1 left Love Field for Andrews Air Force Base near Washington. Air Force 1 is the special presidential plane, a big silver-blue-and-white jet.

At Parkland Hospital, Governor Connally remained on the critical list while undergoing surgery for four hours. He responded well and was expected to be released from the hospital within 14 days, without significant residual effects from his wounds.

At the scene of the crime several spectators had looked up in time to see the murder weapon projecting from a window. The building was quickly surrounded by armed officers. Others, with guns drawn, searched inside. Employees of the Texas School Book Depository were on their lunch hour, most of them outside watching the parade. One of the police officers who searched inside the building was accompanied by R. S. Truly, a supervisor of the book depository firm. They encountered Lee Harvey Oswald, walking toward an entrance, to leave the building. The officer asked who he was. Mr. Truly said Oswald

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worked there. He was permitted to leave.<sup>40</sup>

On the sixth floor, at an open window overlooking Elm Street, police officers found the sniper's nest: concealed from the rest of the large storage room by cartons of books. An improvised gun-rest was at the window sill. On the floor were three empty rifle cartridges, the remains of a packaged fried-chicken lunch, and a soft-drink bottle. Near the door leading into a stairwell on the sixth floor, across the large room from the sniper's window, officers found a rifle, stuffed under some boxes.<sup>41</sup>

Normally, only employees would have access to the sixth floor of this building, or would know readily how to reach it. The whole floor is used as dead storage, and even employees infrequently go there.

These circumstances led police to conclude that all employees on duty that day should be examined immediately. All were soon located, except Lee Harvey Oswald. A description and arrest order were broadcast.

At 1:00 p.m., Mrs. Earlene Roberts, housekeeper of a rooming house at 1026 N. Beckley Avenue, saw Lee Harvey Oswald dash through the living room, into his own room, then leave the house in great haste, having changed jackets in his room. Oswald (using the alias, O. H. Lee) had lived alone in a small room at this rooming house for two months. The place is in the Oak Cliff section of Dallas, less than a mile west of the scene of the assassination.

At 1:15 p.m., Officer J. D. Tippit, cruising in a police car near Oswald's Beckley Avenue rooming house, on the lookout for an assassin suspect whose description had been broadcast, saw Oswald. Mrs. Helen Markham, an eyewitness, said that Officer Tippit pulled his car to the curb. Oswald walked to the car and leaned in the window. Officer Tippit got out and walked around behind the car. Just as he stepped on the sidewalk facing Oswald, Tippit stopped. At that instant, Oswald fired three shots from a hand gun, at pointblank range, killing Officer Tippit instantly.

At 1:18 p.m., a passerby used the police radio in Tippit's squad car to notify police headquarters that an officer was lying there dead and that the assailant had run away. Squad cars converged on the place. Meanwhile, police were receiving numerous calls that a man was running wildly through the section (reloading his gun as he ran), cutting through parking lots, darting in and out of stores.

With such leads, police followed the trail to the Texas Theatre on West Jefferson Avenue, where the cashier reported that a man had run in a few moments before and was still inside.

On a poster ad at the theatre entrance was this motto:

**"There are some things that only the people that do them understand."**

Inside, an old film, *War Is Hell*, was on the screen. The theatre was almost deserted. Oswald sat alone, near the back. Officers converged on him. When one was in reach, Oswald leaped up, screaming, "This is it! It's all over now!"<sup>42</sup> With one hand, he hit the officer in the face. With the other, he drew his gun and pulled the trigger. The firing pin fell on a loaded cartridge, but the gun did not fire. The officer wrenched the gun from Oswald's hand. Oswald fought violently, and suffered minor face bruises before he was subdued.

At 2:00 p.m., Oswald, under arrest, defiantly claiming innocence, and protesting "police brutality," arrived at Dallas police headquarters where he was later charged with the murder of Officer Tippit.

Just before midnight on Friday, November 22, Lee Harvey Oswald was formally charged with the murder of President Kennedy. The circumstantial and positive evidence against him—available at the time of this writing:

(1) On March 20, 1963, Lee Harvey Oswald, using the alias A. Hidell, and a Dallas Post Office box number for an address, ordered a rifle (for \$12.78) from a mail order house in Chicago. FBI experts identified the handwriting on the gun

order as the handling of Oswald. The gun was later identified as the weapon which police found in the book warehouse.

(2) Ballistic examinations identified the gun found in the warehouse as the rifle which killed President Kennedy and wounded Governor Connally.

(3) Oswald's fingerprints were found on the murder weapon.

(4) Pictures found in Oswald's effects showed him holding a rifle which looks exactly like the assassin's weapon, and wearing in his belt a hand gun which looks like the one in his possession at the time of arrest. In the photographs Oswald is holding papers on which are visible the words "Be Militant" and "The Worker."

(5) A paraffin test revealed gunpowder flecks on Oswald's cheek, which is presumptive evidence that he had recently fired a rifle. The powder flecks were identical in kind with powder flecks in the empty cartridges and gun found in the book warehouse.

(6) Since September 24, 1963, Oswald's wife (Marina Nicholaevna Proosakova) has been living at Irving, Texas, in the home of Mrs. Ruth Paine, a former Russian language teacher. Oswald lived in Dallas, visiting his wife and two children at Irving on weekends. He got his job as a stock clerk at the Texas School Book Depository on October 15, 1963. Mrs. Oswald admitted that Oswald owned a gun that looked like the one found in the school book warehouse. He kept it in the garage at Mrs. Paine's home in Irving where Mrs. Oswald lived. Mrs. Paine was not aware of the gun.

Oswald spent Thursday night, November 21, with his wife in Irving (although he usually visited her there only on weekends). When Oswald went to work in Dallas on Friday morning, Wesley B. Frazier (a neighbor of Mrs. Paine) gave him a ride. Oswald was carrying a long, thin package (about the size of a rifle) wrapped in brown paper. He told Frazier it was a package of window shades.

(7) Oswald's palm prints were found on boxes under the sixth-floor window from which the shots were fired.

(8) A bus driver identified Oswald as a man who boarded his bus near the warehouse, saying the President had been shot, and laughing about it. Oswald rode one block. When he left the bus, he hailed a cab. A cab driver identified Oswald as a man he picked up a block from the assassination scene, a few minutes after the event, and drove to Beckley Avenue.

(9) Among Oswald's effects, police found a map of the President's parade route through Dallas. Various intersections on the route were marked, among them the intersection at Elm and Houston where the school book warehouse stands. Lines drawn on the map at this point appeared to be estimates of bullet trajectory from an upper window in the building to the spot on Elm Street where the President was actually hit.

For almost 48 hours after his arrest, Oswald maintained his sneering, sometimes grinning, posture of innocence — claiming that his civil rights were being violated, demanding that he be permitted to communicate with lawyer John J. Abt in New York City (a notorious defender of communists),<sup>(1)</sup> clamoring to be defended by the American Civil Liberties Union of which he claimed to be a member.<sup>(2)</sup> In short, Oswald behaved exactly like the communist that he admitted being. He told the police nothing of value.

Among police officers questioning Oswald were some of the finest law officers in the world, but they were working under severe handicaps. Literally thousands of people were milling around, hundreds of them with access to virtually all parts of the jail: Secret Service agents, FBI men, State officers, newspaper reporters, radio and television commentators and cameramen. The Dallas city jail is not equipped for efficient handling and interrogation of such a prisoner as Oswald, under such conditions.

Police could not move the prisoner from one room to another without forcing their way

through clamoring crowds in the corridors. The police, trying to handle the most difficult and important case of all time, had to work with the entire world looking over their shoulders, knowing every step they took, every step they planned, every development in the accumulation of evidence.

Of all the people who hung around the police department to watch and listen, the man who had the most burning thirst to hear and see was Jack Rubenstein, alias Jack Ruby, a local police character who came to Dallas from Chicago 15 years ago and who operates the Carousel, a strip-tease night-club beer joint in downtown Dallas. Within thirty minutes after Oswald was first brought to police headquarters, Jack Rubenstein was there, asking questions, picking up every fragment of information about the evidence against Oswald, about what he had told police.

Rubenstein crashed press conferences which only accredited reporters were supposed to attend. He seemed forever underfoot. Numerous local reporters and police officers who know the man noticed him and wondered why he was there. Everyone seemed to assume that someone else had authorized Rubenstein's presence, without time to reflect on the absurdity of such an assumption.

Oswald was scheduled for transfer from city jail to county jail on Sunday, November 24. The precise time of the transfer had been announced at a press conference more than 12 hours before (one of the press conferences which Rubenstein crashed). In the removal of Oswald from the city jail, police were, again, handicapped by their physical facilities. It is impossible to back an armored car to the door of the elevator which connects the city hall basement garage with the jail upstairs. The armored car, intended to transport Oswald to county jail, was placed at an entrance to the basement garage. That left an interval of several yards, between the elevator and the car. Police would have to walk Oswald across that space. Broadcast and newspaper cameramen from all over the world jammed the basement area just before noon on Sunday, waiting to

get pictures. Only accredited reporters and police were supposed to be there.

Somehow, Jack Rubenstein wormed his way into the crowd. At 11:21 a.m., the elevator door opened and several officers emerged, two of them holding Lee Harvey Oswald, handcuffed, between them. Rubenstein darted forward, stuck a small hand gun almost against Oswald's stomach, and fired one shot. Rubenstein tried desperately to shoot again, obviously determined to kill Oswald on the spot, but police got his gun before he could fire another shot.

Oswald was rushed to Parkland Memorial Hospital. He died at 1:07 p.m., near the spot where President Kennedy had died 48 hours before.

Circumstances raise a strong presumption that there was a connection between Oswald and Rubenstein and that Rubenstein killed the assassin to silence him:

(1) In the final hours of Oswald's stay in Dallas city jail, he had begun to show signs of breaking, as he was confronted with evidence piling up against him. Experienced persons at city hall felt certain he would confess and tell what he knew, after he was transferred to county jail, where better facilities would enable officers to work with the prisoner and the evidence, under less harassment. Rubenstein unquestionably knew about this anticipated development in the case. Rubenstein was familiar with physical facilities in the city jail: he knew where police must walk the prisoner from elevator to armored car. Whatever Rubenstein's motive may have been, he certainly knew that his only chance to kill Oswald would occur in that brief passage in the basement of city hall. If Rubenstein's motive was to silence Oswald, he *had* to do it before Oswald reached the armored car. After that, Oswald would have been in maximum security confinement at county jail where he was expected to start talking.

(2) Presuming that the motive was to silence Oswald before he could talk, why would Rubenstein openly commit a murder to avoid the possibility of being implicated in another murder?

Rubenstein would know that anyone found guilty of involvement in the death of a President would die, in disgrace. If he killed the assassin and then offered the defense that he acted irrationally through an excess of grief about the President's murder and the President's bereaved family, he stood a good chance to get a light sentence which might soon be followed by pardon — or, even, to get no prison sentence at all.

(3) One television picture of the shooting of Oswald has been re-run, in staggered slow motion, possibly on all networks, several times. The picture clearly reveals that, in the split-second before Rubenstein pulled the trigger, Oswald turned and looked at his approaching assailant. Many who have studied that remarkable picture are certain there was a flash of recognition on Oswald's face when he saw Rubenstein.

(4) Jack Ruby's Carousel Club in Dallas was closed indefinitely on Friday, after the President's assassination. Bill Crowe of Evansville, Indiana (a nightclub entertainer whose stage name is Bill DeMar), had just completed two weeks of a five-week engagement at Ruby's Carousel. DeMar's act at the Carousel displayed a feat of memory. He would ask 20 customers in the place to name various objects, in rapid order. Then, at random, DeMar would tell each one what object he had named. DeMar, a memory specialist, is positive that Lee Harvey Oswald was one of the patrons who named an object for DeMar during his act at Ruby's Carousel in Dallas, a few days before the assassination of President Kennedy.

## Motives

The first official comment from communist Russia, about the assassination of President Kennedy, came from Tass, official news agency of the Soviet Union. Tass said the assassination was the work of "racists, the Ku Klux Klan, and Birchists." In a second article, Tass said the assassination was a "new link in the chain of crimes committed by southern racists and extremists."<sup>10</sup>

About the same time on the day of the assassination, Chief Justice Earl Warren said the Presi-

dent was assassinated "as a result of the hatred and bitterness that has been injected into the life of our nation by bigots."<sup>11</sup> The people whom Earl Warren generally calls "haters" and "bigots" are American constitutional conservatives.

Practically every liberal in the United States, who was quoted during the first hour or two after the President's assassination, joined Soviet officials and Chief Justice Earl Warren in assuming that American conservatives (which liberals usually call "right-wing extremists," "right-wing fanatics," or "ultra-rightists") were guilty.

After it became known that the assassin was a communist, the tone changed a bit. Some liberals veered to the position which conservatives had taken at the outset—namely, that the assassination was a horrible, meaningless act of violence by some madman, an act which could occur anywhere at any time, and which should not be taken as reflecting any political mood or condition in Dallas or elsewhere.

Other liberals, no longer in position to accuse conservatives of killing the President, kept insinuating that conservatives were responsible for creating an atmosphere of hate and distrust—an atmosphere which nourishes violence. This was the line that Earl Warren took, after it became known that the assassin was not a "right-wing bigot," but a communist.

The communist line in the United States and in the Soviet Union veered to the position that "right-wing elements" had somehow arranged the assassination in order to discredit communists. The East German communist government said that "ultra-reactionary circles" instigated the murder of President Kennedy because "they did not like his policy toward the Soviet Union and his attitude toward racialists."<sup>12</sup>

Concerning the atmosphere of political turmoil prevalent in Texas at the time of the assassination: it was mentioned at the outset of this *Report*, and should be re-emphasized, that Texas conservatives (the so-called ultra-rightists) had nothing to do with creating that atmosphere. It

was created by bitterness and hatreds within the ranks of the Democrat Party — chiefly, among liberal elements of the Party. It should also be re-emphasized that this political bitterness in Texas, engendered by liberals, had nothing to do with the murder of the President.

Even after it became known that the assassin was a communist, many thoughtful conservatives felt that the assassination might be nothing more than an isolated act by a fanatic, operating alone and without reason. The Rubenstein sequel puts a different complexion on the matter. It raises the presumption that there was a plot, in which Oswald and Rubenstein were cheap, expendable tools at the command of others.

If the assassination was that kind of plot, who is the most likely suspect? The forces of international communism? That seems unlikely. As indicated by the quotation (above) from the East-German communist government (and from numerous other statements by communists, set out in this *Report* during recent months), communists felt they could get along better with President Kennedy than with any other American who might become President. There is, however, speculation that the international communist conspiracy instigated the assassination of President Kennedy, not because communists disliked him, but to make a martyr of him, calculating that the ensuing turmoil would halt the rising tide of con-

servatism and silence critics of new frontier policies which communists are clearly on record as approving. We will discuss this extraordinary theory in a subsequent *Report*.

In a subsequent *Report*, we will also give details on the life of the late assassin — including such interesting items as the report that the State Department lent him American tax money to return to the United States from Russia, after he had defected to the Soviet Union and renounced his American citizenship; and the fact that the pro-Castro Fair Play For Cuba front which Oswald represented was originally financed in New York City by Cuban delegates to the United Nations.

## The Interim

While the nation is in emotional turmoil over the assassination, two dangers are imminent: (1) that conservatives, winning over efforts to blame them for the President's death and thus reluctant to associate themselves with anything that even smacks of criticism of the now-martyred President, may lose heart and slacken their efforts; (2) that Congress, in a sentimental stampede to make a gesture to the memory of President Kennedy, may approve new frontier legislation which

## WHO IS DAN SMOOT?

Born in Missouri, reared in Texas, Dan Smoot went to SMU in Dallas, getting BA and MA degrees in 1938 and 1940. In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for a doctorate in American Civilization.

In 1942, he left Harvard and joined the FBI. As an FBI Agent, he worked for three and a half years on communist investigations in the industrial Midwest; two years as an administrative assistant to J. Edgar Hoover on FBI headquarters staff in Washington; and almost four years on general FBI cases in various parts of the nation.

In 1951, Smoot resigned from the FBI and helped start Facts Forum. On Facts Forum radio and television programs, Smoot spoke to a national audience, giving both sides of controversial issues.

In July, 1955, he resigned and started his present independent publishing and broadcasting business — a free-enterprise operation financed entirely by profits from sales: sales of *The Dan Smoot Report*, a weekly magazine; and sales of a weekly news-analysis broadcast, to business firms, for use on radio and television as an advertising vehicle. *The Report* and the broadcast give only one side in presenting documented truth about important issues — the side that uses the American Constitution as a yardstick. *The Report* is available by subscription; and the broadcasts are available for commercial sponsorship, anywhere in the United States.

If you think Dan Smoot is providing effective tools for Americans fighting socialism and communism, you can help immensely — by helping him get more customers for his *Report* and broadcasts.